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6 IN THE UNITED STATES DISTRICT COURT

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10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,

No. CR 14-0306 WHA

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Plaintiff,

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v.

LUKE BRUGNARA,

**ORDER DENYING MOTION  
FOR RELEASE PENDING  
APPEAL**

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Defendant.

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Offender Luke Brugnara, through counsel, has filed a motion for release pending appeal.

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Under 18 U.S.C. 1343(b) a convicted offender shall be detained pending appeal unless he demonstrates by clear and convincing evidence that (1) he is not likely to flee or pose a danger to the safety of any other person in the community and (2) that the appeal is not for the purpose of delay and raises a substantial question of law or fact. As stated in the order denying the offender's motion for a new trial (Dkt. No. 763), repeated regularly in previous orders denying motions for pretrial release (*see, e.g.*, Dkt. No. 169), and clearly demonstrated by the offender's escape from the federal building, Brugnara is a flight risk and is not amenable to supervision.

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The motion for release pending appeal is **DENIED**.

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**IT IS SO ORDERED.**

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Dated: October 28, 2015.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE